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8
9 IN THE UNITED STATES BANKRUPTCY COURT
10 FOR THE DISTRICT OF DELAWARE

11
12 **In re:**

13 **Big Lots, Inc.,**

14 Debtor.

CASE NO. 24-11967 (JKS)

**REQUEST FOR SPECIAL
NOTICE**

Chapter 11 Case

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17 PLEASE TAKE NOTICE that the California Department of Justice, counsel
18 for the California Department of Resources Recycling and Recovery (CalRecycle),
19 in the above-captioned Chapter 11 case, hereby requests that all notices given or
20 required to be given in this case to creditors, any creditors' committee, or any other
21 party in interest (including all matters described pursuant to Bankruptcy Code section
22 102 (1) and Bankruptcy Rule 2002(a), (b), (c), (f) and (i), 3017(a), 9007 and 9010)
23 and all papers or other documents filed, served, or required to be served in the above-
24 captioned case, be served on the addressees listed below and that, pursuant to
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1 Bankruptcy Rules 2002(g) and 9007, the following be added to the Court's master
2 mailing list:

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18 PLEASE TAKE FURTHER NOTICE that the foregoing request includes not
19 only the notices and papers referred to in the rules specified above but also includes,
20 without limitation, orders and notices of any plans, disclosure statements,
21 applications, motions, petitions, pleadings, requests, complaints, demands, whether
22 formal or informal, whether written or oral and whether transmitted or conveyed by
23 mail delivery, electronic mail, telephone, telegraph, facsimile transmission, or
24 otherwise.
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1 PLEASE TAKE FURTHER NOTICE that neither this request for notice nor
2 any subsequent appearance, pleading, proof of claim, claim or suit is intended or shall
3 be deemed or construed as:
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5 (a) a consent by CalRecycle to the jurisdiction of this Court or any other
6 court with respect to proceedings, if any, commenced in any case against or
7 otherwise involving CalRecycle;
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9 (b) a waiver of any right of CalRecycle to (i) have an Article III judge
10 adjudicate in the first instance any case, proceeding, matter or controversy as
11 to which a Bankruptcy Judge may not enter a final order or judgment consistent
12 with Article III of the United States Constitution, (ii) have final orders in non-
13 core matters entered only after *de novo* review by a District Court Judge, (iii)
14 trial by jury in any proceeding so triable in the case or in any case, controversy,
15 or proceeding related to the case, (iv) have the United States District Court
16 withdraw the reference in any matter subject to mandatory or discretionary
17 withdrawal, (v) any and all rights, claims, actions, defenses, setoffs,
18 recoupments or remedies to which CalRecycle is or may be entitled under
19 agreements, in law or equity, all of which rights, claims, actions, defenses,
20 setoffs and recoupments are expressly reserved hereby, (vi) the requirements
21 for service of process under Federal Rule of Bankruptcy Procedure 7004; or
22 (vii) the requirements for service of an objection to claim under Federal Rule
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1 of Bankruptcy Procedure 3007, all of which rights, claims, actions, defenses,
2 setoffs, and recoupments CalRecycle expressly reserves; or
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4 (c) a waiver of any objections or defenses that CalRecycle or any other
5 agency, unit or entity of the State of California may have to this Court's
6 jurisdiction over the State of California, CalRecycle, or such other agency, unit
7 or entity based upon the Eleventh Amendment to the United States Constitution
8 or related principles of sovereign immunity or otherwise, all of which objections
9 and defenses are hereby reserved.
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13 Dated: November 12, 2024

Respectfully submitted,

14 ROB BONTA
15 Attorney General of California
16 MICHAEL P. CAYABAN
17 Supervising Deputy Attorney General

/s/ Barbara Spiegel

18 BARBARA SPIEGEL
19 *Attorneys for California Department*
20 *of Resources Recycling and Recovery*

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